

CHAPTER: 900

Inmate Programs and Services

DEPARTMENT ORDER:

**901 – Inmate Records Information and
Court Action**

**OFFICE OF PRIMARY
RESPONSIBILITY:**

OPS

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ACCESS

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Arizona Department of Corrections Rehabilitation and Reentry



Department Order Manual



David Shinn, Director

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STANDARDS

American Correctional Association (ACA) Standards: 5-ACI-3D-07

PURPOSE

This Department Order establishes procedures and standards for the development and maintenance of individualized Inmate Record Files to ensure their accuracy, and establishes procedures for permitting authorized public access to records.

PROCEDURES

1.0 RECEIVING COMMITMENTS AND ASSIGNING IDENTIFICATION NUMBERS

- 1.1 Notification of Arizona Superior Court Commitments to the Arizona Department of Corrections, Rehabilitation and Reentry (ADCRR) – Notification of persons committed to, and awaiting transfer to the Department shall be provided to the Central Office Accountability and Movement Officer (Accountability and Movement Officer) via teletype from the committing county Sheriff's Office. The Accountability and Movement Officer shall:
 - 1.1.1 Coordinate with the committing county and the affected Reception Center(s) to ensure the transfer of inmates to the Department within one day of receipt of the teletype.
 - 1.1.2 Provide the affected Reception Center(s) with a list of inmates approved for transfer to Department custody.
- 1.2 Notification of Release Violators returning to Department custody may be provided to the institutions by the following:
 - 1.2.1 Accountability and Movement Officer
 - 1.2.2 Community Corrections Bureau
 - 1.2.3 Supervising Community Corrections Officer
 - 1.2.4 County Sheriff Office/city Police Department
 - 1.2.5 Central Office Communications Center (Communications Center)
 - 1.2.6 Any other source
- 1.3 Institution staff shall, upon receipt of a Commitment Order(s) and/or the list of inmates approved for transfer by the Accountability and Movement Officer, complete a name and status search for each inmate approved for transfer using the following:
 - 1.3.1 The Arizona Criminal Justice Information System (ACJIS) using both the Arizona Crime Information Center (ACIC) and the National Crime Information Center (NCIC), checking for:
 - 1.3.1.1 Arizona State Identification (SID) Number.

- 1.3.1.2 Federal Bureau of Investigation (FBI) Number; or **Universal Control Number (UCN)**.
- 1.3.1.3 Outstanding wants/warrants.
- 1.3.2 The **Arizona Corrections Information System (ACIS)** checking for:
 - 1.3.2.1 Prior **ADCRR** number assignment - Recommitments shall retain the number assigned during the initial commitment.
 - 1.3.2.2 Inmate Status
 - 1.3.2.2.1 Inmates who have completed a commitment to the Department shall be returned to custody as a Recommitment.
 - 1.3.2.2.2 Inmates who have not completed the previous commitment shall be returned as a Release Violator with a New Commitment, a Technical Release Violator, a Court Returnee with a New Commitment or a Court Returnee.
 - 1.3.2.2.3 Inmate release status shall be determined by reviewing the **ACIS** Automated Inmate Record.
 - 1.3.2.3 Fingerprint Verifications - The institution Offender Information Unit (OIU) Manager shall be responsible for a review of any Recommitments or violators for previous fingerprint verifications on **ACIS**. If there is previous fingerprint verification, the Arizona Automated Fingerprint Identification System (AZAFIS)/ADCRR Identification System Officer shall complete FAST ID as outlined in section 6.0.

1.4 Inmate Arrivals

- 1.4.1 Certified sentencing documents, to include fingerprint and Pre-sentence Investigation Reports, shall be received for all persons committed to the Department to serve a term of imprisonment as outlined in A.R.S. §13-607 and §13-701. Information shall be noted on the commitment document if the Pre-sentence Investigation Report has been waived, sealed by the court or cannot be located. If the Pre-sentence Investigation is waived, the waiver should be noted in the certified sentencing documents. The Department shall not accept any inmate without all documents required by law.
- 1.4.2 The institution OIU Manager and/or designated staff shall compare the name and birth date on the certified sentencing documents with the name and birth date on the approved transfer list prior to the committed person being accepted. If the names do not match, the **Central Office Accountability and Movement Officer** shall be contacted for verification of the change and approval to accept the inmate into the Department's custody.
- 1.4.3 The institution OIU Manager and/or designee, upon notification of New Commitment arrivals, shall:

- 1.4.3.1 Register and assign an ADCRR number to all New Commitments. Recommitments with an ADCRR number from a previous commitment shall retain that number as outlined in this section.
- 1.4.3.2 **Utilize the ACIS Intake Module to generate a list of arrivals that shall be sent out to the complex Central Intake Processing (CIP), Medical and Mental Health Staff, Transportation, Education, and Accountability.**
- 1.4.4 Upon confirmation all documents have been received and/or approved, the institution OIU Manager and/or designated staff shall review the documents for the following:
 - 1.4.4.1 Certification by the Clerk of the Court of jurisdiction
 - 1.4.4.2 Raised certification seal on the commitment documents
 - 1.4.4.2.1 **Certification seal may be absent as long the documents are transmitted digitally in a secure fashion as approved by the Offender Support Services Bureau Administrator.**
 - 1.4.4.3 Signature/name of the sentencing judge
 - 1.4.4.4 Verification of fingerprint on the certified sentencing document
 - 1.4.4.5 Verification of the Pre-sentence Report being waived, sealed or not located as outlined in this section
 - 1.4.4.6 Concurrent/Consecutive terms to be served
 - 1.4.4.6.1 If the commitment documents indicate the sentence is to run concurrently or consecutively to any other state or federal sentence, the delivering authority and/or the other jurisdiction shall be contacted for verification the inmate has completed the other jurisdiction's sentence.
 - 1.4.4.6.2 If the inmate has not completed the other jurisdiction's sentence, the delivering authority shall be advised that the inmate will be returned to county custody and not be accepted by the Department.
 - 1.4.4.6.3 Upon verification and advisement inmates cannot be accepted by the Department, the certified commitment document(s) shall be forwarded to the Offender Services Bureau, Time Computation Unit (TCU), for placement on the Concurrent/ Consecutive custody case load.
- 1.4.5 Upon verification the commitment documents are true and accurate, Reception Center Intake staff shall:
 - 1.4.5.1 Verify the assigned ADCRR number of all New Commitments.
 - 1.4.5.2 Review commitment document(s) or the **ACIS** Automated Inmate Record to determine if the inmate requires special conditions of the commitment to the Department:

- 1.4.5.3 Identify each inmate received into Department custody using FAST ID and certified sentencing documents.
 - 1.4.5.4 Initiate the **ACIS** Automated Inmate Record as outlined in section 8.0.
 - 1.4.5.5 Establish an Intake packet and forward it to the TCU as outlined in section 8.0.
- 1.5 Self-Surrenders – Male inmates ordered by the sentencing court to self-surrender to the Department shall be received and processed through the **Arizona State Prison Complex (ASPC)** -Phoenix - Alhambra Reception and Treatment Center. Females shall be processed through the ASPC-Perryville Reception Center.
 - 1.5.1 The institution OIU Manager and/or designated staff shall have, or inmates shall bring, a copy of the commitment document.
 - 1.5.1.1 A Pre-sentence Investigation Report may not be available in these instances.
 - 1.5.1.2 If a certified commitment order was not issued by the sentencing judge, an “Order of Confinement” document may be accepted.
 - 1.5.1.3 If there are no commitment documents, the institution OIU Manager and/or designated staff shall contact the TCU.
 - 1.5.2 All inmates who have self-surrendered shall be processed for Intake in the same manner as inmates escorted by law enforcement personnel.
- 1.6 The institution OIU Manager and/or designated staff shall notify the TCU within one workday of inmates arriving to the Department with six months or less remaining to serve and **all** Release Violators returned to custody.
- 1.7 Criminal Alien Reception Center Identification Procedures
 - 1.7.1 The ASPC-Phoenix and ASPC-Perryville Wardens shall ensure office space is provided to ICE staff to conduct interviews on a daily basis.
 - 1.7.2 Reception Center Intake staff shall ensure:
 - 1.7.2.1 Department 287(g) Officers are notified of approved transfers from the county jails, and upon request, provide copies of commitment orders, Pre-sentence Reports and photographs at no cost.
 - 1.7.2.2 The accurate “Place of Birth” is entered on the **ACIS** appropriate Personal Characteristics screen during the initial **ACIS** date entry for a New Commitment.
 - 1.7.2.3 All inmates who have been identified as a Criminal Alien or who have the potential to be identified as a Criminal Alien are processed through the ICE Unit at Intake within four calendar days of admission.
 - 1.7.3 Department 287(g) Officers shall:
 - 1.7.3.1 Make the determination of citizenship.

- 1.7.3.2 Ensure the citizenship of all Criminal Aliens is correct. As a citizen of a country other than the United States (US), Criminal Aliens have the right to contact the Foreign Consulate Office of their country of citizenship. Staff shall afford this opportunity to Criminal Aliens if requested. The Department 287(g) Officers shall notify the Foreign Consulate Office for those countries which mandate notification.
- 1.7.3.3 Place detainees when deemed necessary.
- 1.7.3.4 Provide the following handouts to all Criminal Aliens as required by ICE:
 - 1.7.3.4.1 List of Free Legal Service Providers
 - 1.7.3.4.2 Department of Homeland Security Office of Inspector General Hotline Flyer
 - 1.7.3.4.3 The Signature Form for receiving ICE Mandated Forms
 - 1.7.3.4.4 ADCRR Notice to Criminal Aliens in both English and Spanish
- 1.7.3.5 Ensure the following information is transmitted to ICE within four calendar days of admission:
 - 1.7.3.5.1 Inmate name
 - 1.7.3.5.2 Sentence information
 - 1.7.3.5.3 Home address, where applicable
 - 1.7.3.5.4 Work address, where applicable
- 1.7.4 Reception Center Intake staff shall:
 - 1.7.4.1 Upon determination by Department 287(g) Officers that an inmate is deportable or non-amenable to deportation by receipt of an ICE Detainer/ Non-Action Letter, ensure all applicable **ACIS** screens accurately identify inmates as either deportable or non-amenable to deportation.
 - 1.7.4.1.1 If inmates are not amenable to deportation proceedings, Department 287(g) Officers shall state the reason on the **ACIS** Offender Comment screen.
 - 1.7.4.1.2 If the reason is due to an inmate being a US Citizen or a Naturalized Citizen, the citizenship status on the **ACIS** Personal Characteristics screen shall be changed to indicate the correct status.
 - 1.7.4.2 Upon determination of citizenship status, annotate the **ACIS** Personal Characteristics screen with one of the following identifiers:
 - 1.7.4.2.1 United States Citizen, whether U.S born or naturalized.

- 1.7.4.2.2 Criminal Alien, detainer is present. There may or may not be a Deportation Order.
 - 1.7.4.2.3 Criminal Alien determined to be legal per ICE (Legal Permanent Resident). No detainer, not amendable to deportation **ICE has no interest in taking into custody.**
 - 1.7.4.2.4 **Criminal Alien determined to be legal per ICE (Legal Permanent Resident) detainer is present.** An immigration judge is to determine the status **and if deportable.**
- 1.7.5 Institutions shall maintain a current website address of all Foreign Consulate Offices in the United States. Contact information is available from the U.S. Department of State at <http://www.state.gov/misc/list/index.htm>. Inmates shall make a written request to their assigned Correctional Officer III for use of the toll-free number to the Foreign Consulate of the applicable country. **{5-ACI-3D-07}**
- 1.8 **Institution Hearing Process Sites {5-ACI-3D-07}**
 - 1.8.1 To expedite administrative **Immigrations** hearings, the following institutions have been designated as **hearing** sites:
 - 1.8.1.1 ASPC-Florence/Eyman
 - 1.8.1.2 ASPC-Tucson
 - 1.8.1.3 ASPC-Perryville
 - 1.8.1.4 ASP-Phoenix West
 - 1.8.2 Wardens at institutions designated as **hearing** sites shall ensure office space is provided to Executive Office for Immigration Review staff to conduct administrative hearings.
 - 1.8.3 The **hearing** site's institution OIU Manager and/or designee shall:
 - 1.8.3.1 Receive the ICE calendar which identifies the dates and times of hearings of inmates to be heard and coordinate with the appropriate Deputy Wardens and/or institution security staff assigned to transport inmates to the designated hearing location, and the Offender Services Bureau.
 - 1.8.3.1.1 The Offender Services Bureau Administrator and/or designee shall notify the Executive Office for Immigration Review Court Administrator assigned to the **hearing** site of transfers or releases of inmates scheduled for the hearing.
 - 1.8.3.2 Coordinate releases with the ICE Deportation section of deportable inmates, either currently housed in **hearing** sites or those transferred from Non- **hearing** sites.
 - 1.8.3.3 Ensure the following:
 - 1.8.3.3.1 All inmates listed on the ICE calendar are currently housed at the **hearing** site.

1.8.3.3.2 The Central Office Accountability and Movement staff is notified of the scheduled hearing dates for transport.

1.8.3.3.3 Scheduled hearing dates are annotated on the applicable **ACIS** screen.

1.8.3.3.4 The Executive Office for Immigration Review's final disposition is received, and the institution OIU Manager and/or designee are notified.

1.8.3.4 The Offender Services Bureau staff shall annotate on the applicable **ACIS** screen and ensure placement in the inmate's Master Record File.

1.8.3.5 Inmates shall not be transferred from a **hearing** site until the hearing process is completed.

1.9 **Non-Hearing** site institution OIU staff shall:

1.9.1 Coordinate transfers of eligible inmates to **hearing** sites for the purpose of release to deportation with the Accountability and Movement Officer, the Offender Services Bureau and the designated **hearing** site OIU.

1.9.2 Ensure Notification and Release packets for inmates transferred to **hearing** sites for the purpose of release to deportation are completed prior to the transfer in accordance with Department Order #1001, Inmate Release System.

1.9.3 Ensure all ICE releases are entered into the Offender Management System (OMS) prior to transfer. All ICE releases shall require:

1.9.3.1 The federal ICE staff's signature on the Intake/Transfer of Custody - Body Receipt form and the return of the form to the Department staff member.

1.9.3.2 The federal ICE staff's receipt of a copy of the Immigration Detainer Letter and OMS Criminal Alien Release, Form 1001-13, upon the release of the Criminal Alien from the Department.

1.10 Communication Between Government Agencies and Immigration and Naturalization Service – The Department prohibits its employees and representatives from taking any action to prohibit or in any way restrict the maintenance or intergovernmental exchange of information concerning an individual's citizenship or immigration status, or otherwise maintaining such information, or otherwise exchanging such information with any other federal, state, or local government entity and officials, including through written or unwritten policies or practices, notwithstanding any state or local policies to the contrary.

2.0 **PLACEMENT/ACKNOWLEDGEMENT AND PROCESSING OF DETAINER ACTION LETTERS AND NOTIFICATION REQUESTS**

2.1 Receipt of a Detainer – The institution OIU Manager or designee, upon receipt of a warrant and/or request to place a detainer/"Hold" or notification on an inmate, shall ensure all received actions are valid, properly acknowledged, and the inmate is served and/or notified within 15 workdays of receipt. To determine validity, the designated authority shall ensure:

- 2.1.1 Warrants received through the US mail have a certification seal and some type of identification/physical description of the inmate in question.
- 2.1.2 Requests for detainers on civil actions (i.e., ICE) or notification requests are on agency letterhead. The demanding jurisdiction's prosecutor may be contacted if there is any doubt as to the validity of a detainer.
- 2.1.3 Warrants/requests for a "Hold" and/or notification requests accepted through the ACJIS contain a warrant number and provide identification and physical description information on the inmate.

2.2 Processing Detainers

- 2.2.1 The institution OIU Manager shall ensure the ADCRR number and description of the inmate indicated on the warrant/documentation matches the ADCRR number and description of the inmate in custody and log the detainer/notification action on the **ACIS** Detainer/Warrant History screen within one day of receipt if the descriptions and numbers match using the following identification codes:
 - 2.2.1.1 Untried Charges – Untried charges pending against an inmate from another state, **federal**, or county jurisdiction, not including parole.
 - 2.2.1.2 **Probation violations – Untried detainers shall be broken down in to the following subtypes:**
 - 2.2.1.2.1 **In-State – For charges from one of the counties within Arizona that have not been disposed of yet and where the inmate has not been to trial. These types of charges will require the Uniform Mandatory Disposition of Detainers Act to be completed as outlined in section 3.0.**
 - 2.2.1.2.2 **Out-of-State – For charges from any other state than Arizona that have not been disposed of yet and where the inmate has not been to trial. These types of charges will require the Interstate Agreement on Detainers (IAD) Act to be completed as outlined in section 3.0.**
 - 2.2.1.2.3 **Federal – For charges from the federal government that have not been disposed of yet and where the inmate has not been to trial. These types of charges will require the IAD Act to be completed as outlined in section 3.0.**
 - 2.2.1.3 Tried – Warrants received from other state, **federal**, and/or county jurisdictions **where the inmate has already been tried by the prosecuting court on these charges. Tried Detainers shall be broken down by the following subtypes:**
 - 2.2.1.3.1 **Parole or Probation Violation – Warrants for when an inmate has violated his/her terms or conditions of supervision.**
 - 2.2.1.3.1.1 Parole violation warrants for Arizona releases handled through the Warrant Services/ Hearings Unit Manager.

- 2.2.1.3.2 Detainer Conviction State (DCS) – Untried charges that have been disposed of and inmates have been sentenced to serve another state's sentence either concurrently or consecutively with the Arizona sentence.
- 2.2.1.3.3 Detainer Conviction County – Untried charges within the state that have been disposed of and the inmate has been sentenced to serve a term with a county jurisdiction.
- 2.2.1.3.4 Detainer Conviction Federal – **Untried charges that have been disposed of and inmates have been sentenced to serve a federal sentence either concurrently or consecutively with the Arizona sentence.**
- 2.2.1.3.5 Detainer Conviction Other
- 2.2.1.3.6 Detainer/Treaty
- 2.2.1.4 "ICE" (ICE Detainers) – Upon receipt of ICE Detainers, the **ACIS** Personal Characteristics screen shall be reviewed to ensure the citizenship field accurately describes inmates as a Criminal Alien and Department 287(g) Officers shall enter the citizenship status on the appropriate **ACIS** screen.
- 2.2.1.5 "MISD" (Misdemeanor Warrants) – This code shall only be used when an agency specifically requests a "Hold" be placed on an inmate for a misdemeanor warrant.
 - 2.2.1.5.1 If the agency does not take custody of inmates upon release, the "Hold" shall not prevent inmates from being released from Department custody.
 - 2.2.1.5.2 The inmate shall be informed of the obligation to have misdemeanor charges disposed of. If the charges are not disposed of, the assigned Community Corrections Officer shall be notified of the misdemeanor charges pending against the inmate.
- 2.2.1.6 Notification of Release Request – This code is used for notification purposes only. This action does not prevent inmates from being released from Department custody. Notification requests are normally placed for restitution obligations, misdemeanor convictions, concurrent convictions or supervision purposes.
- 2.2.1.7 "CS" (Child Support) – Same as a Notification of Release Request, specific to child support.
- 2.2.1.8 "FH" (Felony Hold) – A Felony Hold code shall be entered on the **ACIS** Detainer/Warrant History screen at any time during an inmate's incarceration if information becomes available that indicates the inmate has pending felony charges.

- 2.2.1.8.1 A detainer and/or warrant do not need to be present. Felony Holds shall be entered even if the jurisdiction does not want to extradite.

2.2.2 The institution OIU Manager shall:

- 2.2.2.1 Log the detainer/notification action on the **ACIS** Detainer/Warrant History screen if one of the detainer actions listed above is lodged against an inmate at an institution or unit within an institution that prevents the inmate from being housed there. If applicable, inmates shall be classified and moved to the appropriate location.

- 2.2.2.2 Acknowledge receipt of the detainer by preparing an official Detainer Acknowledgment Letter in accordance with Attachment B. ICE Detainers may be acknowledged by signing the bottom portion of the detainer placement request. Copies shall be forwarded as follows:

- 2.2.2.2.1 Original – Demanding agency

- 2.2.2.2.2 Copy – Institutional File with all original certified documents

- 2.2.2.2.3 Copy – Master Record File with copies of original documents

- 2.2.2.3 Ensure inmates are provided a copy of the Detainer Acknowledgement Letter, warrant, indictment and the information or complaint used to lodge the detainer within 15 workdays of receipt of the detainer request.

- 2.2.3 The institution OIU staff shall notify the demanding agency of the inmate's pending release and verify the detainer/notification is still in effect 90 calendar days prior to an inmate's release.

- 2.2.3.1 If the inmate only has a Felony Hold, the institution OIU staff shall notify the jurisdiction of the pending release and verify the Felony Hold is still in effect.

- 2.2.4 The institution OIU Manager shall notify Community Corrections via **email** if a detainer/Felony Hold is placed after the Release packet has been forwarded to Community Corrections. The Release packet shall be returned to the institution OIU or Correctional Officer III if necessary, via the **Release Management Module of ACIS**.

- 2.2.5 **When a detainer is received by the institution OIU Manager and/or designated staff or at an institution where an inmate is not located, the detainer shall be entered on the ACIS Detainer/Warrant History screen, the correct institution shall be immediately notified, and the document(s) shall be forwarded to the correct institution for acknowledgment and processing.**

- 2.3 Cancellation of a Detainer – The institution OIU Manager or designee, upon receiving notification to cancel a detainer, shall:

- 2.3.1 Review the **ACIS** Detainer/Warrant History screen and the **ACIS** Offender Comment screen to determine if detainers are Tried or Untried.

- 2.3.2 Ensure the cancellation notice is being requested by the agency that originated the detainer and all references made to name, ADCRR number, warrant number and/or alien identification number match the original documents. If there is any question as to the authenticity of the request to cancel the detainer, the originating agency shall be contacted for verification of the cancellation notice.
- 2.3.3 If the detainer is Tried:
 - 2.3.3.1 Verify the detainer is no longer in effect if other jurisdiction is canceling their detainer.
 - 2.3.3.2 Enter the cancellation date on the **ACIS** Detainer/Warrant History screen.
 - 2.3.3.3 Acknowledge receipt of the cancellation notice by preparing an official Detainer Acknowledgment Letter and sending it to the originating jurisdiction along with a copy of the cancellation notification.
 - 2.3.3.4 Ensure all original documents, to include the cancellation notification and a copy of the Detainer Acknowledgement Letter is maintained in the Institutional File.
 - 2.3.3.5 Ensure inmates are notified and provided a copy of the cancellation request through the Correctional Officer III.
 - 2.3.3.6 Forward a copy of the cancellation notice to the Institutional and Master Record Files.
- 2.3.4 Not cancel an Untried Detainer until determining:
 - 2.3.4.1 The cancellation request was made prior to the inmate filing for disposition under the IAD. The reason should be outlined in the notice of cancellation. If the reason is not given, the institution OIU Manager shall contact the demanding agency for verification and the reason.
 - 2.3.4.2 If the inmate filed for disposition, was transferred to the other jurisdiction and the demanding agency has no further interest due to the inmate having satisfied the terms of the final disposition (i.e., original charges dismissed, the inmate was ordered to time served, jail and/or probation).
 - 2.3.4.3 The inmate filed for disposition, was transferred to the other jurisdiction and was sentenced to a term of imprisonment. In this event, the Untried Detainer shall be canceled and a DCS Detainer shall be entered using the same date as the Untried Detainer cancellation date. The Agreement on Detainers, Form IX - Prosecutors Report on Disposition of Charges, Form 901-16, hereafter Form IX, or the other jurisdiction's committing document shall be used as authorization for the DCS Detainer.
- 2.3.5 Contact the other jurisdiction for verification of completion of sentence prior to cancellation if the authorization to cancel a detainer is received after a DCS Detainer is placed.

- 2.4 Deletion of Detainers from an ACIS Automated Inmate Record – Detainers shall only be removed when they were placed on the wrong **ACIS** Automated Inmate Record. The correction of detainer information shall be completed as follows:
- 2.4.1 If the error is discovered prior to acknowledgment of receipt of the detainer being sent to the requesting agency, the detainer may be deleted from **ACIS** without comments.
- 2.4.2 If the error is discovered after acknowledgment of receipt of the detainer has been sent to the requesting agency, the detainer shall be deleted and the following shall be documented on the **ACIS** Offender Comments screen of the inmate against whom the detainer is actually being made:
- 2.4.2.1 The date of correction, the original date of the detainer placement.
- 2.4.2.2 The ADCRR number of the inmate the detainer was originally placed on.
- 2.4.2.3 The date the correction was made and the initials of the staff member who made the correction.
- 2.5 Speedy Trial – Inmates shall be notified of the pending charges and of their right for speedy disposition of the charges within 15 calendar days of receipt of an Untried Detainer lodged against them. Inmates may request speedy disposition of pending charges as outlined in section 3.0.

3.0 IN-STATE/INTERSTATE AGREEMENT ON DETAINERS ACT

- 3.1 In-State Uniform Mandatory Disposition of Detainers – The right to a speedy trial of persons in prison within the state. The Uniform Mandatory Disposition of Detainers provides inmates with an appropriate procedure for demanding trial, including the prosecutor's duty to notify the inmate of their right to demand an immediate trial whenever a detainer is lodged against the inmate.
- 3.1.1 The Uniform Mandatory Disposition of Detainers shall not apply to detainers issued for:
- 3.1.1.1 Parole violations.
- 3.1.1.2 Probation violations.
- 3.1.1.3 Unexpired portions of a sentence.
- 3.1.1.4 Out of state detainers.
- 3.1.2 The institution OIU Manager or designee shall:
- 3.1.2.1 Verify a received detainer and Uniform Mandatory Disposition of Detainers are completed accurately and include a certification of inmate status and time left to serve on the current sentence(s).
- 3.1.2.2 Serve the inmate within 15 calendar days after receipt.
- 3.1.2.3 Advise the inmate:

- 3.1.2.3.1 Of the detainer source and content and their right to request a final disposition.
 - 3.1.2.3.2 They may temporarily be transferred to the custody of the demanding jurisdiction, upon request for final disposition.
 - 3.1.2.3.3 Their current sentence shall continue to run while the inmate is in the county's custody.
 - 3.1.2.3.4 They shall be returned to the Department's custody to complete their sentence(s) upon completion of the court proceedings and final disposition of the charges in the other jurisdiction.
- 3.1.2.4 If the inmate refuses to sign the Uniform Mandatory Disposition of Detainers:
 - 3.1.2.4.1 Note on the inmate's signature line the inmate refused to sign.
 - 3.1.2.4.2 Sign and date the form.
 - 3.1.2.4.3 Have a second Department employee sign and date the form as a witness.
 - 3.1.2.4.4 Inform the inmate refusal to sign does not dismiss the detainer.
 - 3.1.2.4.5 File the Uniform Mandatory Disposition of Detainers in the Institutional File.
- 3.1.2.5 If the inmate chooses to request final disposition:
 - 3.1.2.5.1 Have the inmate sign and date the form.
 - 3.1.2.5.2 Have a second Department employee sign and date the form as a witness.
 - 3.1.2.5.3 Sign the form and mail it to the Clerk of the Court of jurisdiction and to the prosecuting attorney using certified registered mail with "Return Receipt Requested".
- 3.1.2.6 Upon receipt of the Return Receipt Request, enter the stamped/written date on the receipt on the **ACIS** Detainer/Warrant History screen in the Agreement Date field.
 - 3.1.2.6.1 The process outlined in sections 3.1.2 through 3.1.2.5.3 shall be completed for each in-state jurisdiction having placed a detainer on an inmate.
 - 3.1.2.6.2 The inmate shall be released to the first jurisdiction to provide an "Order to Secure Attendance of Prisoner" issued by the jurisdictional court.

- 3.1.2.6.3 The inmate shall be brought before the jurisdictional court within 90 calendar days of the date of the Return Receipt Request and brought to trial within 90 calendar days of arrival in the demanding jurisdiction.
- 3.1.2.7 Send a follow-up letter 45 calendar days after the date of the Return Receipt Request to the other jurisdiction advising there are 45 calendar days remaining in which they may take custody of the inmate.
- 3.1.2.8 Provide written notification to the Central Office Records Supervisor if the 90 calendar day time frame is not met by the other jurisdiction. Copies of all documents pertaining to the detainer shall be attached to the written notification.
- 3.1.2.9 Request the Central Office Records Supervisor send a letter to the appropriate prosecutor and Clerk of the Court of jurisdiction to request the court enter an order for dismissal of the charges and provide notification to all parties the detainer is no longer in effect.
- 3.1.2.10 Upon completion of the court action and return of the inmate, ensure:
 - 3.1.2.10.1 The court's final disposition documents are received and processed in accordance with section 4.0.
 - 3.1.2.10.2 A copy of the Uniform Mandatory Disposition of Detainers or a complete Detainer packet is forwarded to Central Office Records for the Master Record File.

3.2 Interstate – The Interstate Agreement on Detainers

- 3.2.1 The IAD process uses standardized terminology, forms and formats common to all signatory states. Following is the list of forms currently in use:
 - 3.2.1.1 Agreement on Detainers - Form I, "Notice of Untried Indictment, Information or Complaint and of Right to Request Disposition" hereafter, Form I (Form 901-6)
 - 3.2.1.2 Agreement on Detainers - Form II, "Inmate's Notice of Place of Imprisonment and Request for Disposition of Indictments, Information or Complaints" hereafter, Form II (Form 901-7)
 - 3.2.1.3 Agreement on Detainers - Form III, "Certificate of Inmate Status" hereafter, Form III (Form 901-8)
 - 3.2.1.4 Agreement on Detainers - Form IV, "Offer to Deliver Temporary Custody" hereafter, Form IV (Form 901-9)
 - 3.2.1.5 Agreement on Detainers - Form V, "Request for Temporary Custody" hereafter, Form V (Form 901-10)
 - 3.2.1.6 Agreement on Detainers - Form V-A, "Prisoner Option of Rights and Advisory Form (Cuyler vs. Adams)" hereafter, Form V-A (Form 901-11)

- 3.2.1.7 Agreement on Detainers - Form V-B, "Prisoner's Agreement to Temporary Transfer of Custody" hereafter, Form V-B (Form 901-12)
- 3.2.1.8 Agreement on Detainers - Form VI, "Evidence of Agent's Authority to Act for Receiving State" hereafter, Form VI (Form 901-13)
- 3.2.1.9 Agreement on Detainers - Form VII, "Prosecutor's Acceptance of Temporary Custody Offered in Connection with a Prisoner's request for Disposition of a Detainer" hereafter, Form VII (Form 901-14)
- 3.2.1.10 Agreement on Detainers - Form VIII, "Prosecutor's Acceptance of Temporary Custody Offered in Connection with Another Prosecutor's Request for Disposition of a Detainer" hereafter, Form VIII (Form 901-15)
- 3.2.1.11 Agreement on Detainers - Form IX, "Prosecutors Report on Disposition of Charges", hereafter Form IX (Form 901-16)
- 3.2.1.12 Agreement on Detainers/Governor's Notice Letter (Attachment C)
- 3.2.2 The IAD process shall not apply to detainers issued by the non-signatory states of Louisiana and Mississippi and shall not apply when:
 - 3.2.2.1 An inmate's sentence is death.
 - 3.2.2.2 The inmate escaped from another state's custody and is wanted in that state solely on the basis of the unsatisfied prison term.
 - 3.2.2.3 The detainer is for an alleged probation or parole violation.
 - 3.2.2.4 The detainer is for deportation purposes.
- 3.2.3 The IAD process may be used, but is not recommended, when a prosecutor in another state advises the State of Arizona that the death penalty is being sought in the case. A Governor's Warrant of Extradition with an accompanying Executive Agreement is recommended for use in the place of the IAD.
- 3.2.4 A detainer shall be lodged against the inmate with the OIU of the institution where the inmate is housed, before the IAD process is applied. The detainer shall be based upon an "untried" indictment, information or complaint.
- 3.2.5 The institution OIU Manager, within 15 calendar days of receipt of an Untried Detainer, shall ensure the inmate is served with a completed Form I.
 - 3.2.5.1 Upon receipt of the Form I signed by the inmate, the institution OIU Manager shall complete Form II through Form IV.
 - 3.2.5.2 Completed Forms II through IV shall be signed by the inmate and the Warden as indicated on the forms.
 - 3.2.5.3 Forms I through IV shall be distributed and mailed as indicated on the forms.

- 3.2.6 An inmate requesting final disposition under the IAD (Article III) shall be brought to trial within 180 calendar days of the date the prosecutor receives the appropriate documents/date on the Return Receipt Request. The institution OIU Manager and/or designee shall track the time frames.
- 3.2.7 The demanding state's official agent shall complete and forward Form VI and Form VII to the Department's Interstate Agreement on Detainers Administrator and the Warden of the institution where the inmate is currently housed when they are prepared to accept temporary custody of the inmate.
 - 3.2.7.1 Upon arrival at the institution, the official agent of the demanding state shall present proper identification, a copy of the Forms VI and VII and a certified copy of the Indictment, Information or Complaint prior to taking custody of the inmate.
- 3.2.8 If the inmate has multiple detainers from more than one state, the institution OIU Manager shall provide written notification to the other states advising them of the date and name of the state taking custody of the inmate.
- 3.2.9 Another jurisdiction(s) within the same state may take custody of the inmate, upon completion of a Form VIII. Each jurisdiction requesting the custody of the inmate shall inform the institution that originally transferred custody of the inmate of their request, and arrange for the inmate's transfer to their jurisdiction.
- 3.2.10 When an inmate refuses to sign the Form II, the demanding jurisdiction may request temporary custody of the inmate by initiating the process under Article IV of the IAD. The prosecutor shall provide, to the holding institution:
 - 3.2.10.1 The completed Form V.
 - 3.2.10.2 A certified copy of the indictment, information, or complaint.
 - 3.2.10.3 A certified copy of the warrant.
 - 3.2.10.4 A certified copy of the fingerprint card, photograph, and physical description of the inmate being requested.
- 3.2.11 The institution OIU Manager and/or designee shall:
 - 3.2.11.1 Complete a Form V-A within 15 workdays of receipt of the Form V and accompanying documents and ensure the inmate is:
 - 3.2.11.1.1 Served with a Form I and informed a request for temporary custody has been made under Article IV of the IAD.
 - 3.2.11.1.2 Informed of the source and content of the Form V and accompanying documents, and of the right to request a final disposition of the indictment, information or complaint.

- 3.2.11.1.3 Informed of the right to petition the Governor of Arizona, for intervention, within 30 calendar days of the receipt of the request for temporary custody. The Governor has 30 calendar days from receipt of the inmate's petition to disapprove the request or deny availability, either by the Governor's own motion or by nonintervention.
- 3.2.11.1.4 Informed of the right to a pre-transfer (identity) hearing pursuant to Cuyler vs. Adams (449 US 433; 1981) including representation of counsel and opportunity for habeas corpus.
- 3.2.11.1.5 Informed, that, if he or she does not agree to a voluntary transfer, a hearing shall be arranged through the presiding judge of the Superior Court to be scheduled on the earliest available date on the court calendar.
- 3.2.11.2 Upon completion of service of the Form V, ensure:
 - 3.2.11.2.1 Six copies of the Form V-B are completed and included with the Form V and accompanying documents to be presented to the Superior Court Judge of jurisdiction for the pre-transfer hearing.
 - 3.2.11.2.2 An Agreement on Detainers/Governor's Notice Letter is completed and forwarded to the Governor of Arizona.
- 3.2.11.3 Upon completion of the pre-transfer hearing and when the 30-day period of notice to the Governor has expired, with no objections made, or when the inmate agrees to a voluntary transfer by signing Form V-B, complete Forms III and IV and forward them to the prosecuting attorney in the demanding state.
 - 3.2.11.3.1 The prosecuting attorney shall complete and forward a Form VI to the holding institution's Warden. Other prosecutors within the demanding state who also are prepared to accept temporary custody of the inmate shall send a Form VIII to the holding institution's Warden.
 - 3.2.11.3.2 An inmate, whose transfer of custody was at the request of the prosecutor under Article IV, shall be brought to trial within 120 calendar days of their arrival in the demanding state.
 - 3.2.11.3.3 The inmate shall be returned to the custody of the releasing institution's Warden at the earliest possible date after the court proceedings are concluded.

3.2.11.3.4 All prosecuting officials in the demanding state shall complete Form IX and forward the completed form to the Warden of the releasing institution, the Interstate Agreement on Detainers Administrator and the Warden and/or agency that will have jurisdiction over the inmate when the inmate is returned to the sentencing state after completion of the Arizona sentence.

3.2.11.4 Upon completion of the IAD process, ensure all applicable **ACIS** screens are updated with the disposition of the inmate's charges and a completed Detainer packet is forwarded to Central Office Records for placement in the inmate's Master Record File.

3.3 Executive Agreements and Warrants of Extradition – All Executive Agreements and Warrants of Extradition shall be coordinated with the Department's Extradition Officer.

3.3.1 Requests for final dispositions on detainers lodged against an inmate by the non-signatory states of Louisiana and Mississippi shall be referred to those states. If those states choose to take action prior to the inmate's release, such action shall be coordinated through the Department's Extradition Officer and shall be requested using an Executive Agreement.

3.3.2 Governor's Warrants of Extradition, without an Executive Agreement shall not be honored until the inmate is within 90 calendar days of a release.

4.0 COURT ACTIONS

4.1 Temporarily Absent Status – Inmates summoned to court via the Order to Secure Attendance shall be placed on Temporarily Absent status and, if applicable, shall continue earning release credits while at court.

4.1.1 Upon notification from the agency taking custody that an inmate's presence is required in court, the institution OIU Manager or designee, shall ensure:

4.1.1.1 An Intake/Transfer of Custody - Body Receipt form is prepared.

4.1.1.2 Affected units are notified of the date and time of pick-up.

4.1.1.3 Any special handling information regarding the inmate is annotated on the receipt. Special handling information may include, but not be limited to:

4.1.1.3.1 Protective Custody issues.

4.1.1.3.2 Assaultive behavior.

4.1.1.3.3 Security Threat Group (STG) issues.

4.1.1.3.4 Escape risk.

4.1.1.3.5 **Request from medical a Continuity of Care that shall detail any and all medical and/or mental health issues, any special transport needs, and any medications that the inmate is currently prescribed.**

- 4.1.1.3.5.1 **The Continuity of Care shall be provided to the agency picking the inmate up. If the inmate requires special transport arrangements; the agency shall be notified in advance of their arrival to pick the inmate up.**
- 4.1.2 All inmates being released to court shall have a verified fingerprint from the current commitment on the appropriate **ACIS** screen.
- 4.1.3 All inmates shall be FAST ID'd and verified prior to release to other agencies.
- 4.1.4 Verification that Deoxyribonucleic acid (DNA) has been taken shall be verified on all inmates prior to release to other agencies.
- 4.2 Temporary Transfers – Inmates may be summoned to court by the issuance of the following:
 - 4.2.1 Order Securing Attendance of Prisoner (OSA) – An inmate may be temporarily transferred to the county of jurisdiction when such an order is requested by the prosecuting County Attorney in the county from which the prisoner is wanted and issued by a jurisdictional judge of the court. The inmate shall be returned to Department custody upon completion of the court action. If the date on the OSA differs from the date the County Officer arrives to pick up the inmate, the County Officer shall correct and initial the change on the OSA. The inmate can then be released to that jurisdiction.
 - 4.2.2 Writ of Habeas Corpus – An inmate may be temporarily transferred to a county or federal jurisdiction when a Writ of Habeas Corpus is issued to give evidence before the court. A Writ of Habeas Corpus is most commonly used by the Federal Government. The inmate shall be returned to Department custody upon completion of the court action.
 - 4.2.2.1 Telephonic hearings requested by the prosecuting court authority shall be forwarded through the institution OIU for verification and scheduling.
 - 4.2.3 Interstate Agreement on Detainers – An inmate may be temporarily transferred to another state or to a federal jurisdiction, either upon the inmate's own request or at the request of the agency or jurisdiction when all proper documentation as identified in section 3.0, is presented to the holding institution and to the Department's Interstate Agreement on Detainers Administrator.
 - 4.2.4 Governor's Warrant of Extradition with Executive Agreement – An inmate may be temporarily transferred to another state's jurisdiction upon completion of an extradition hearing by a Superior Court Judge in the county in which the inmate resides. The inmate may, usually when a sentence of life, or the death penalty, has been issued and with Arizona approval, remain in the custody of the other state's jurisdiction upon completion of the court action.
 - 4.2.5 Securing Attendance of Witness – An inmate may be temporarily transferred to a county jurisdiction within the state or out of state when an order "Securing Attendance of a Prisoner for the Purpose of Testifying" is issued. The inmate shall be returned to Department custody upon completion of the court action.

- 4.2.5.1 In-State – The order shall be issued by a Superior Court Judge of the county in which the trial is being held.
- 4.2.5.2 Out-of-State – The transfer shall be coordinated by the other state's Prosecuting Attorney with the County Attorney's Office, of the county in which the inmate is currently located.
 - 4.2.5.2.1 Upon presentation of the order, the inmate shall be turned over to the Sheriff's Office of the Arizona county and held until the other jurisdiction takes custody.
 - 4.2.5.2.2 The inmate may be turned over to another state agency directly from a Department institution providing the order specifically states the Department shall relinquish custody to the other state.
- 4.2.5.3 Tribal Courts – An inmate may be temporarily transferred to a tribal jurisdiction when such an order is requested by the tribal prosecutor and issued by a tribal judge and approved by the Warden. The inmate shall be returned to Department custody upon completion of the court action.
 - 4.2.5.3.1 The institution OIU Manager and/or designee shall ensure the documents are certified and signed by the tribal judge and include language indicating the name of the tribal jurisdiction, their responsibility of taking custody of and pick-up and transport the inmate, the dates for pick up, court hearing, and the return to the Department (if known). If the return date is not known, language shall be included stating the inmate will be returned to the Department's custody upon completion of the court action.
 - 4.2.5.3.2 The institution OIU Manager and/or designee shall forward the request to the Warden, who shall staff with the Regional Operational Director for final approval.
- 4.2.6 The institution OIU Manager, when an inmate returns to Department custody after a temporary transfer due to pending charges or for any other reason that might affect the inmate's sentence or term of incarceration, shall ensure the information contained in the returning agency's documentation is entered on all applicable **ACIS** screens and provide the new information to the TCU.
 - 4.2.6.1 If documentation is not received, the institution OIU Manager or designee shall contact the jurisdictional court to determine the court disposition of the case.
 - 4.2.6.2 Any information received from the court regarding the disposition shall be entered on the **ACIS** Offender Comment screen under the Court Action transaction type.
 - 4.2.6.3 All inmates shall be FAST ID'd and verified upon return to Department custody from other agencies.

4.3 Release of Prisoner While Out to Court

4.3.1 Any inmate who reaches a Release Eligibility Date while "Out to Court" shall meet all release criteria outlined in Department Orders #1001, Inmate Release System and #1002, Inmate Release Eligibility System, including the requirements of signing the applicable Condition of Supervision form and completing Release packets.

4.3.1.1 Inmates who refuse to sign shall not be released.

4.3.1.2 A detainer shall be lodged by the releasing institution with the jurisdiction that is taking custody.

4.3.2 If all release criteria are met, the institution OIU shall:

4.3.2.1 Verify with the Community Corrections:

4.3.2.1.1 Release conditions are current.

4.3.2.1.2 The inmate has signed the appropriate Conditions of Supervision.

4.3.2.1.3 Release program has been approved by Community Supervision for "Release from custody" on the specific release type.

4.3.2.1.4 Meets literacy standards.

4.3.2.1.5 The DNA is completed.

4.3.2.1.6 The fingerprint has been verified.

4.3.2.2 Forward detainers from other agencies to the jurisdiction that has custody of the inmate and notify the detainer agency.

4.3.2.3 Notify the jurisdiction having custody of the inmate:

4.3.2.3.1 The detainer may be dropped.

4.3.2.3.2 The Department has no further interest, if applicable.

4.3.3 Inmates shall, if applicable, be under Community Supervision until reaching their Sentence Expiration Date (SED) or Community Supervision End Date (CSED).

4.4 Additional Sentences – Upon receipt of an additional sentence, the receiving institution OIU shall process the New Commitment in accordance with section 1.0.

4.5 Sentence Modifications/Vacates/Reversed and/or Remanded for a New Trial

4.5.1 Upon receipt of documentation regarding "Sentence Modifications," "Sentence Vacates," and/or "Sentences, which have been Reversed and/or Remanded for a new trial", the receiving staff member shall forward all documentation to the TCU.

4.5.2 The TCU shall process this documentation in accordance with Department Order #1002, Inmate Release Eligibility System. Institution OIUs are not authorized to process these documents.

4.6 Committed Name

- 4.6.1 The name listed on the committing court document shall be the inmate's official name recorded on all Department documents and on the Master Record File.
 - 4.6.1.1 If there is more than one court commitment, the name listed for the ruling sentence shall be the official name. All other names shall be listed as "Also Known As" (AKA).
 - 4.6.1.2 When an inmate has multiple commitments with different names listed on the documents, staff shall use the name listed on the ruling sentence to register the inmate on **ACIS**. If the ruling sentence cannot be determined:
 - 4.6.1.2.1 The inmate shall be registered with the name on the first commitment entered on the **ACIS** Sentence Structure screen.
 - 4.6.1.2.2 The TCU shall be notified and faxed a copy of the court documents so the ruling sentence may be determined.
 - 4.6.1.2.3 The TCU shall verify the information on the **ACIS** Sentence Structure screen within three hours of receipt of the faxed court documents.
 - 4.6.1.2.4 Upon verification of the ruling sentence, the TCU shall notify the Reception Center, by email, of the inmate's official name. The Reception Center staff shall, if necessary, change the inmate's legal name to the name specified by the TCU.
- 4.6.2 When an inmate is returned to the Department as a Recommitment, violator and/or Court Returnee with a New Commitment and has a name other than the original name used when first committed, the institution OIU Manager and/or designated staff shall review the court document to determine the ruling sentence.
 - 4.6.2.1 If the New Commitment is the ruling sentence, the name shall be the inmate's official name to be used on all documents. Upon entering this information on the **ACIS** Sentence Structure screen, the **ACIS** Release Date Calculation screen, which identifies the ruling sentence, automatically generates the change to the inmate's **ACIS** Automated Inmate Record.
- 4.6.3 The receiving institution OIU shall ensure the Institutional File indicates the name change and appropriate staff is requested to take new photographs and issue a new Inmate Identification Card. Notification of the inmate's official name shall be forwarded to Central Office Records to update the Master Record File.
- 4.6.4 The TCU shall:
 - 4.6.4.1 Process official name changes. Inmates may officially change their names through the appropriate courts of jurisdiction, both criminal and civil.

- 4.6.4.2 Verify the inmate's prior official name and ensure the inmate has NOT been transferred under the provisions of the Interstate Corrections Compact.
 - 4.6.4.2.1 Inmates transferred under the Interstate Corrections Compact shall have written approval from the sentencing state to have their name changed and shall request such approval through the Special Services Manager.
- 4.6.4.3 Record the legal name change as the official name of the inmate and the inmate's prior official name as an "AKA" in the inmate's Automated Inmate Record.
- 4.6.4.4 Provide written notification to the Central Office Records, the Office of Victim Services, and the institution OIU of the name change. The original court order shall be forwarded to Central Office Records and a copy sent to the institution OIU.
- 4.6.5 The Central Office Records Supervisor shall ensure the name on the Master Record File is changed in accordance with the court order.
- 4.6.6 The institution OIU Manager shall ensure the name listed in the Institutional File is changed, a new Escape Bulletin is printed and notification, as applicable, is made to the following:
 - 4.6.6.1 Warden and/or Deputy Warden
 - 4.6.6.2 **Medical Services**
 - 4.6.6.3 The appropriate Chief of Security
 - 4.6.6.4 The unit's Correctional Officer IV
 - 4.6.6.5 Inmate Banking
 - 4.6.6.6 Mail and Property processing areas
 - 4.6.6.7 Visitation
- 4.6.7 Inmates requesting name changes through a court process shall pay the costs associated with the name change including the cost of new photographs and an Inmate Identification Card.
- 4.6.8 When officially confirmed, the new name shall be the official inmate name used by the Department.
- 4.7 Inmates Returning from Court – The institution OIU Manager shall:
 - 4.7.1 Monitor the status of out to court inmates and request the outside agency to notify them of the return of the inmate, via telephone.
 - 4.7.2 Notify the complex Accountability and Movement Officer of the inmate's pending return for proper housing placement.

- 4.7.3 Notify the Special Security Unit (SSU) Officer and Correctional Officer IV of the inmate's pending return and subsequent unit destination.
 - 4.7.3.1 The SSU Officer shall contact the sending agency to inquire about the inmate's behavior while in their custody and to follow-up with any applicable information to include any behavior issues, rejection of appeals, change in sentence or additional commitment.
 - 4.7.3.2 The Correctional Officer IV shall interview the inmate upon return to Department custody to evaluate inmate's demeanor and morale and refer the inmate to Mental Health Services for assessment if the outcome of the court case resulted in an additional felony conviction, an increased sentence, or an appeal was denied.
- 4.7.4 Ensure the **ACIS** DT08-CT screen is annotated, (and DT08-87, if an untried detainer), based on the paperwork returned with the inmate (i.e., minute entry or other official document provided by the sending court authority) regarding next court date, pleas agreement, sentencing information, etc.
- 4.7.5 Contact the sentencing court the day the inmate is returned for the status of the case and any minute entries if an inmate is returned without paperwork.
- 4.7.6 Contact TCU staff for assistance if they do not receive paperwork or a response within 24 hours.
- 4.7.7 For courts with information available on the Internet, access the information from the Internet and print any necessary documentation (i.e., minute entries or status of case) and annotation of such is made on the **ACIS** DT08-CT screen.
- 4.7.8 FAST ID all incoming inmates.
- 4.7.9 Ensure the information on inmates' additional sentences is processed as follows:
 - 4.7.9.1 Information is entered on **ACIS**.
 - 4.7.9.2 Classification is reviewed, reclassifying if necessary.
 - 4.7.9.3 Certified sentencing documents are forwarded to the TCU for verification.
 - 4.7.9.4 Unit Correctional Officer IV is notified of the additional sentence.
- 4.7.10 Coordinate the release of inmates being released while out to court (and has reached their Earned Release Credit Date (ERCD) with an approved release program and signed conditions) with the arresting agency, ensuring a Teletype is sent to the arresting agency to drop the Department Detainer Hold.
- 4.7.11 Contact the jails monthly to check the status of inmates out to court to ensure no erroneous release by the county, and provide the Warden a monthly report.
- 4.7.12 Ensure employees are notified of an inmate's disciplinary incidents or **medical** health or mental health issues while out to court by providing the unit Accountability and Movement Officer and the **Medical** Unit a copy, if warranted, of the county's documentation. A copy is also placed in the inmate's Institutional File.

5.0 PHOTOGRAPHS OF INMATES – All Department inmate photographs shall be taken using the Mug Photo Interface Subsystem (MPI). Private prisons shall use digital cameras to take inmate photographs and send them electronically to the closest Department institution for inclusion in the MPI.

5.1 Reception Center Intake Processing – Photographs shall be taken of each inmate during the initial Intake process in the proper order.

5.1.1 Frontal and profile photographs taken of the inmate at Reception Centers shall reflect the inmate's appearance upon arrival. If the inmate arrives wearing glasses, photographs shall be taken both with and without glasses. All photographs shall be distributed as follows:

5.1.1.1 One frontal, one **right** profile and one **left** profile - Institutional File.

5.1.1.2 One frontal, one **right** profile and one **left** profile - Master Record File.

5.1.2 Additional frontal and profile photographs with the inmate's hair pulled back away from the face shall be made. Inmates shall be in **compliance** with Department Order #704, Inmate Regulations. These photographs shall be distributed for use as follows:

5.1.2.1 Frontal and Profile - Escape Bulletin

5.1.2.2 Frontal - Inmate Identification Card

5.1.2.3 Frontal and Profile - Master Record File

5.1.2.4 Frontal for the unit's Accountability/Movement Office picture board

5.1.2.5 Frontal and Profile - Institutional File

5.1.3 Photographs of all tattoos – Tattoos located on the genital area and buttocks of both male and female inmates shall not be taken, but shall be annotated on the MPI and **ACIS**. Any tattoos which reveal any part of the female breast shall not be taken, but shall be annotated on the MPI and on **ACIS**. Photos of all other tattoos shall be taken and properly annotated on the MPI and on **ACIS**.

5.1.4 If there are noticeable changes in an inmate's appearance, (i.e., growing facial hair, cutting hair, shaving of head, or new tattoos) a new photograph shall be taken immediately using the MPI.

5.1.5 Every inmate shall have a new photograph taken every five years of incarceration.

5.1.6 All photographs shall be maintained in the MPI database for future use.

5.1.7 No photograph shall be removed or replaced from the MPI database without notification and approval from the Offender Services Bureau Administrator and/or designee.

5.2 Release Processing

5.2.1 The assigned Release Process staff member shall:

- 5.2.1.1 Prior to an inmate being released, take frontal profile and full-length photographs of the inmate using the MPI and save it into the MPI database.
- 5.2.1.2 In the event the MPI is non-operational, prepare an Affidavit of Identification for Issuance of a License, Identification or Arizona Health Care Cost Containment System (AHCCCS) (Attachment D) in lieu of a Release Identification Card.
- 5.2.1.3 Ensure all photographs are taken in the proper order no earlier than 180 calendar days prior and no later than 10 calendar days of release.
 - 5.2.1.3.1 Photos taken within 180 days of release for an MVD replacement credential meet the needs of the release photo requirement.
- 5.2.2 Inmates shall be dressed in normal civilian clothing or state issued blue shirts and jeans. Sex Offenders shall be photographed in state issued blue shirts and jeans only. Orange jump suits, hats, coats/jackets or sunglasses shall not be worn for release photographs.
- 5.2.3 The release photographs shall clearly identify the inmate by name and ADCRR number and attached to the Release packet or the Institutional File, in accordance with section 13.0, and forwarded to Central Office Records.
- 5.2.4 Private prisons shall use digital cameras to take inmate photographs and send them electronically to the closest Department institution for inclusion in the MPI.

6.0 FINGERPRINTS OF INMATES

- 6.1 The AZAFIS/ADCRR Site Administrator shall be responsible for all operations of the AZAFIS/ADCRR Identification System, to include training, hardware, software, installation and equipment maintenance in accordance with Department Order #121, Arizona Criminal Justice Information and Identification System.
- 6.2 No inmate shall be released from the Department without a verified fingerprint on their current incarceration annotated on **ACIS** (Fingerprint Verification Screen or Audit Release Comment Screen) by the AZAFIS/ADCRR Site Administrator and/or designee at Central Office.
- 6.3 Verification of Fingerprints
 - 6.3.1 Upon receipt of the verified fingerprint card from DPS, AZAFIS/ADCRR Site Administrator and/or designee shall verify the inmate's identity using the Arizona SID and FBI numbers within two workdays and annotate on the **ACIS** Fingerprint Verification screen.
 - 6.3.2 If the Department does not receive a verified fingerprint within two workdays of the prints being taken, the institution OIU shall contact the **AZAFIS/ADCRR Site Administrator and/or designee** to check for the fingerprint card status and ask for further direction.

- 6.3.3 If no verification can be made by DPS or by ACJIS research, a comment shall be placed on the **ACIS** Audit Release Comment screen indicating no fingerprint verification was possible by the AZAFIS/ADCRR Site Administrator and/or designee.
 - 6.3.3.1 Inmates who were not fingerprinted by the arresting agency will not have an Arizona SID number or FBI number. The AZAFIS/ADCRR Site Administrator and/or designee shall attempt to obtain verification from DPS.
 - 6.3.3.2 If there is a fingerprint on the court document in the inmate's Master Record File, the AZAFIS/ADCRR Site Administrator and/or designee shall hand carry the court document and the fingerprint card to DPS. DPS will then do a manual verification, if possible. Some fingerprints are unable to be verified.
 - 6.3.3.2.1 If there is a match, DPS will create a criminal history and issue an Arizona SID number.
 - 6.3.3.2.2 The AZAFIS/ADCRR Site Administrator and/or designee shall make the appropriate entry on **ACIS**.
 - 6.3.3.2.3 The inmate shall then be released with an Arizona Criminal History and an Arizona SID Number.
- 6.3.4 Unverified Fingerprints - If there is not a fingerprint on the court document in the inmate's Master Record File, and DPS cannot match the fingerprint, the AZAFIS/ADCRR Site Administrator and/or designee shall make a notation on the **ACIS** Audit Release Comment screen indicating that no fingerprint verification is possible and the inmate will be released without an Arizona Criminal History, Arizona SID Number or verified fingerprints.
- 6.3.5 Releases - All inmates released shall have a verified fingerprint or a notation on **ACIS** why there is no verification as outlined in this section.
 - 6.3.5.1 If the inmate has not been out of Department custody since the last verified entry on the **ACIS** Fingerprint Verification screen, the inmate can be released on that verification.
 - 6.3.5.2 If the inmate has been out of Department custody and has no current verification noted on the **ACIS** Fingerprint Verification screen or Audit Release Comment screen, the institution OIU shall **have the inmate fingerprinted**.
- 6.3.6 FAST ID equipment shall produce the Arizona SID number, date of birth and name and if DNA has been collected. FAST ID cannot be used solely for identification of New Commitments into Department and is not substitute for full fingerprints.
 - 6.3.6.1 If FAST ID indicates a DNA sample is on file at DPS, the Department shall not require a DNA sample and the AZAFIS/ADCRR Identification System Officer shall annotate **the default date of 2/29/08** on **ACIS**.
 - 6.3.6.2 If FAST ID indicates no DNA sample is on file with DPS, a DNA sample shall be taken at Intake and processed accordingly.

- 6.3.6.3 Institution OIU staff shall confirm there is a verified fingerprint on the **ACIS** Fingerprint Verification screen. If there is a previous verification, the OIU shall request a FAST ID.
- 6.3.6.4 Once the FAST ID is complete, the AZAFIS/ADCRR Identification System Officer shall email the information in the correct format to the AZAFIS/ADCRR Site Administrator and/or designee at Central Office.
 - 6.3.6.4.1 The AZAFIS/ADCRR Site Administrator and/or designee shall then verify the fingerprint and notify the institution of the verification.
- 6.3.6.5 If the FAST ID does not come back with any information, then a full set of fingerprints shall be taken.
- 6.3.6.6 Once the fingerprint has been verified, the inmate may be released.
- 6.3.7 Release Violators
 - 6.3.7.1 If the Release Violator has a previous verified fingerprint on the **ACIS** Fingerprint Verification screen, the inmate may be verified using FAST ID as described in 1.3.6 through 1.3.6.6 above.
 - 6.3.7.2 If the Release Violator does not have a previous verified fingerprint on the **ACIS** Fingerprint Verification screen, the inmate needs to be fully fingerprinted.

7.0 DEOXYRIBONUCLEIC ACID (DNA) TESTING OF INMATES

- 7.1 Staff shall perform a FAST ID to determine if a DNA sample has already been submitted to DPS. If the FAST ID verifies a DNA sample has been submitted, Reception Center security/Intake staff shall enter 02-29-08 as the **default** date that the DNA was taken and no DNA needs to be taken.
- 7.2 If the FAST ID verifies a DNA sample has not been submitted, Reception Center security/Intake staff shall collect the DNA upon the inmate's arrival to the Department to include Release Violators. Designated staff shall:
 - 7.2.1 Collect and transmit the sample to the DPS.
 - 7.2.2 Ensure **ACIS** is updated to indicate the correct date the DNA test was obtained.
- 7.3 Genetic/Paternity/Maternity DNA Testing
 - 7.3.1 The Offender Services Bureau Administrator and/or designee shall:
 - 7.3.1.1 Work in cooperation with the Arizona Department of Economic Security and the Attorney General's Office to assist in the collection of genetic specimens required for the performance of Genetic DNA Testing per a court order issued by a court of this state or another as defined by A.R.S. §25-807.

- 7.3.1.2 Determine which inmates are to undergo Genetic DNA Testing by verifying the information contained in the court order of this state or another.
- 7.3.2 All court orders requesting Genetic DNA testing for inmates for paternity/maternity testing shall contain the following information:
 - 7.3.2.1 Inmate's name
 - 7.3.2.2 Inmate's ADCRR number
 - 7.3.2.3 Inmate's date of birth
 - 7.3.2.4 The case number assigned by the court
 - 7.3.2.5 A signature by a judge of a Superior Court of the issuing state
- 7.3.3 All court orders shall also be accompanied by the following:
 - 7.3.3.1 A DNA Sample Collection Kit to include Buccal Swabs, transport envelopes and all necessary forms
 - 7.3.3.2 Specific instruction for obtaining the DNA sample
 - 7.3.3.3 A pre-paid envelope for the return of the DNA sample to the appropriate laboratory
- 7.3.4 A court order for genetic testing issued by an out of state court shall be treated as an enforceable order in Arizona provided it meets the requirements of this section.
- 7.3.5 The Offender Services Bureau Administrator or designee shall forward the court order to the appropriate institution site within five workdays from the day the court order was received by the Offender Services Bureau. The forwarding date shall be annotated on the **ACIS note type PAT/MAT DNA TST** screen.
- 7.3.6 Obtaining the DNA sample – Upon receipt from the Offender Services Bureau Administrator or designee, trained staff shall:
 - 7.3.6.1 Obtain the DNA sample within five workdays from receipt of the request and appropriate forms using the instructions provided by the DNA Sample Collection Kit.
 - 7.3.6.2 Transmit the DNA sample within 24 hours from the time the sample was taken in the manner provided by the laboratory.
 - 7.3.6.3 Enter the following on the **ACIS note type PAT/MAT DNA TST** screen:
 - 7.3.6.3.1 Date the DNA sample was taken
 - 7.3.6.3.2 Inmate's name and ADCRR number
 - 7.3.6.3.3 **Laboratory/Agency** requesting the DNA sample
 - 7.3.6.3.4 Tracking number

7.3.6.3.5 **ACIS** Staff ID

7.3.6.4 Email the Offender Services Bureau Administrator or designee after the sample has been successfully collected ensuring information outlined in 7.3.7.3.1 through 7.3.7.3.5 of this section is included in the email.

7.3.6.5 Should an inmate refuse to provide a DNA sample:

7.3.6.5.1 Complete and have the inmate sign the Refusal form provided in the DNA Sample Collection Kit.

7.3.6.5.2 Scan the signed Refusal form and email it to the Offender Services Bureau Administrator.

7.3.6.5.3 Mail the original Refusal form back in the pre-paid envelope provided with the DNA Sample Collection Kit.

8.0 ESTABLISHING AN INMATE FILE

8.1 **ACIS Automated Inmate Record** – The **ACIS** Automated Inmate Record shall be initiated by registering the inmate in the **ACIS Intake Module** on the date of receipt of the commitment document or upon the inmate's arrival at a Reception Center.

8.1.1 The following **ACIS** screens shall be established within 24 hours and/or prior to the inmate's transfer from the Reception Center to another institution by Reception Center Intake staff:

8.1.1.1 External Movement

8.1.1.2 Sentence Structure (The information entered shall be taken from the certified sentencing documents, the Pre-sentence Investigation Report or ACJIS)

8.1.1.3 Personal Characteristics

8.1.1.3.1 The inmate's ethnicity shall be entered on all races. If an inmate is of mixed race, the inmate has the choice of race designation while incarcerated.

8.1.1.3.2 Native American inmates shall be asked their tribal affiliation and documented in this area.

8.1.1.3.3 Scars, marks, and tattoos **shall be documented in ACIS under note type TATTOOS.**

8.1.1.3.4 The FBI and Arizona SID numbers shall be entered.

8.1.1.3.5 The Driver's License or Arizona Identification Card number shall be entered.

8.1.1.4 **ACIS** Personal History screen

8.1.1.5 Custody Classification

8.1.1.6 Agency Release Notification

- 8.1.1.7 Citizenship/Ethnic Codes and ICE Detainers - Department ICE staff shall enter codes and detainers at Intake.
 - 8.1.2 The escape flyer shall be printed after completion of 8.1.1.1 through 8.1.1.6 of this section.
 - 8.1.2.1 A frontal and profile digital photograph of the inmate shall be used when creating the flyer.
 - 8.1.2.2 Escape flyers shall be maintained for each inmate assigned to the institution in a secure area designated by the Warden or Deputy Warden.
 - 8.1.3 When notified that an inmate has changed appearance, program staff and/or SSU staff shall notify the institution OIU for updating the **ACIS** record and for the designated MPI staff to print a new escape flyer. The designated MPI staff shall print and forward the new escape flyer to the designated staff member who shall replace the old flyer.
 - 8.1.4 **ACIS** transactions shall be established and completed by the institution OIU Manager and/or designated staff at the institution, private prison and/or Community Corrections in accordance with Attachment A, **ACIS** Transactions Responsibilities and Time Frames.
- 8.2 Institutional File - The Institutional File shall be established within one workday after the inmate's arrival.
- 8.2.1 Files on New Commitments shall be established and labeled with the inmate's name and assigned ADCRR number.
 - 8.2.2 Files and/or Release packets on Recommitments and violators shall be requested from Central Office Records.
 - 8.2.3 All files shall contain one copy of the following documents as they are completed by designated staff:
 - 8.2.3.1 Copies of photographs (upon Intake and after processing of the inmate)
 - 8.2.3.2 Pre-sentence Investigation Report, if available
 - 8.2.3.3 Judgment of Sentence or Confinement Order (from the committing court)
 - 8.2.3.4 Mail Waiver, Form 901-32
 - 8.2.4 The OIU of the receiving institution, within one workday after the inmate's arrival, forward an Intake packet containing the following documents to the TCU:
 - 8.2.4.1 Copy of the Daily Arrival Sheet (Not required by ASPC-Eyman Intake)
 - 8.2.4.2 Original/certified copy of the Judgment(s) of Sentence
 - 8.2.4.3 Original Pre-sentence Investigation Report
 - 8.2.4.4 Photographs
 - 8.2.4.5 All other documents required for inmate's Master Record File placement.

- 8.2.5 The TCU shall file all documents in the Master Record File upon completion of the Intake audit and send it to the Central Office Records Supervisor and/or designee.
- 8.2.6 Sentencing documents shall be provided to the TCU the same day as the arrival of inmates who have four months or less to serve upon arrival.
- 8.2.7 Technical Release Violators – Reception Center Intake staff shall notify the TCU of Technical Release Violators returned to custody within one workday.
- 8.3 Master Record File - The Central Office Records Supervisor and/or designee shall establish a Master Record File within five workdays after receipt of court documents on Concurrent/Consecutive Custody cases and/or the inmate's arrival.
 - 8.3.1 Files on New Commitments shall be established and labeled with the inmate name and ADCRR number that was assigned as outlined in section 1.0.
 - 8.3.2 Files on Recommitments, Release Violators or escapees shall be removed from the active shelves and/or requested from record retention within two workdays of notification and reactivated.
 - 8.3.2.1 Within one workday after a Technical Release Violator or an inmate who had escaped from an institution is returned to custody, the Institutional File/Release packet shall be forwarded to the housing institution.
 - 8.3.2.2 Within five workdays, the institution OIU Manager and/or designee shall ensure the Release packet for a Recommitment inmate contains the initial Intake photographs and release photographs.

9.0 FILING GUIDELINES/FORMS DISTRIBUTION

- 9.1 All institution OIUs and Central Office Records shall establish and maintain Inmate Record Files in green, four-sided file folders adhering to the following filing guidelines:
 - 9.1.1 The Master Record File and/or the Institutional File shall contain only the documents and/or information approved and listed in the established file format.
 - 9.1.2 Forms that are not identified in the approved filing format shall be returned to the originator.
 - 9.1.3 All documents shall be filed in chronological order with the most recently dated document on top.
 - 9.1.4 All Master Record and Institutional Files shall be organized in terminal-digit sequence with color-coded numeric tabs.
 - 9.1.5 Any existing two-sided file folders shall be converted to four-sided folders.
- 9.2 Forms Development - Staff shall request and receive approval from the Offender Services Bureau Administrator for any new forms or previously deleted forms to be included in the Master Record or Institutional File. Such requests and approvals shall be in writing. Forms development and revision shall be made in accordance with Department Order #114, Forms Management System.

9.3 Forms Distribution

- 9.3.1 Staff completing electronic forms on the ADCNet shall ensure forms are distributed as indicated on the bottom of the forms.
- 9.3.2 Distribution for non-electronic forms maintained in the Master Record and Institutional Files shall be as follows:
 - 9.3.2.1 White (Original) - Master Record File
 - 9.3.2.2 Yellow - Inmate or as designated on form
 - 9.3.2.3 Pink - Institutional File or as designated on form
- 9.3.3 Exceptions to the above distribution shall include the following:
 - 9.3.3.1 Certificates of Absolute Discharge
 - 9.3.3.1.1 Original - Inmate
 - 9.3.3.1.2 Copy - Master Record File
 - 9.3.3.1.3 Copy - Institutional File
 - 9.3.3.2 Proclamation of Parole
 - 9.3.3.2.1 White (Original) - Inmate
 - 9.3.3.2.2 Copy - Master Record and Institutional Files
 - 9.3.3.3 Forfeitures/Rescissions/Restoration Forms - These forms shall be sent directly to the TCU for processing.
 - 9.3.3.4 Disciplinary Forms
 - 9.3.3.4.1 White (Original) - Master Record File
 - 9.3.3.4.2 Pink - Inmate
 - 9.3.3.4.3 Yellow - Institutional File

9.4 Routing Documents

- 9.4.1 The original or designated copy of any document that is to be filed in the Master Record File shall be routed to Central Office Records and shall legibly indicate:
 - 9.4.1.1 The inmate's first and last name.
 - 9.4.1.2 The inmate's ADCRR number on all pages.
- 9.4.2 Designated Institutional File copies shall be forwarded to the OIU of the institution where the inmate is currently housed.

- 9.4.3 Designated copies may be retained for Special Purpose files when required by Department Order or authorized by a Deputy Director, Assistant Director, Regional Operations Director, Warden, Deputy Warden, or the Offender Services Bureau Administrator.
- 9.5 Removal of Documents - Documents or information contained in Inmate Record Files shall be removed only when properly authorized.
 - 9.5.1 Department employees may submit a written request to remove a document(s) from Inmate Record Files through the chain of command to the **Assistant** Director for Prison Operations or designee. The request shall:
 - 9.5.1.1 Identify the document or information that is to be removed.
 - 9.5.1.2 Include the date of the document.
 - 9.5.1.3 Give specific reasons for the requested removal.
 - 9.5.1.4 Identify all Inmate Record Files where the document or information is found.
 - 9.5.2 The **Assistant** Director for Prison Operations or designee may approve removal of documents from files, if after reviewing the request for removal, the **Assistant** Director, determines the document or information is inaccurate, erroneous, and/or would affect decisions made by Department staff or the ABOEC.
 - 9.5.2.1 If the removal request is approved, the authorization for removal of documents or information shall be forwarded to the Offender Services Bureau Administrator for processing.
 - 9.5.2.2 The **Assistant** Director for Prison Operations shall direct removal of specified documents/information from all Inmate Record Files.
 - 9.5.3 The institution OIU Manager shall ensure all documents/information specified by the **Assistant** Director for Prison Operations or designee is removed from the following:
 - 9.5.3.1 Institutional File
 - 9.5.3.2 Any Special Purpose File
 - 9.5.3.3 Any other Inmate Record Files that include the documents or information
 - 9.5.4 Documents removed from Inmate Record Files shall be forwarded to Central Office Records. Central Office Records staff shall remove the documents or information from the Master Record File, post the receipt of documents received and destroy all copies of the documents removed.
 - 9.5.5 The Disciplinary Appeals Officer may direct removal of disciplinary actions and/or related documents or information for disciplinary actions that have been dismissed.
 - 9.5.5.1 Instructions to remove disciplinary actions shall be in memorandum format, addressed to Central Office Records and the TCU.

- 9.5.5.2 Central Office Records staff shall ensure the documents or information is removed from the Master Record File and a copy of the memorandum is forwarded to the OIU of the institution where the inmate is housed.
- 9.5.5.3 The TCU shall ensure any Class III or forfeiture of time credit actions as a result of the discipline, prior to dismissal are removed from the inmate's Release Date Calculation.
- 9.5.5.4 The institution OIU staff shall remove the documents or information identified in the memorandum.

10.0 PUBLIC/INMATE ACCESS TO RECORDS

- 10.1 Public Inspection - Records of inmate care and custody, with the exception of Corrections Compact cases, are subject to public inspection.
- 10.2 Disclosure - The Department shall not disclose records or portions of records:
 - 10.2.1 Reveal the identity of a confidential informant.
 - 10.2.2 Endanger the life or physical safety of a person.
 - 10.2.3 Jeopardize an ongoing criminal investigation.
 - 10.2.4 Contain reports or other written materials (i.e., Do Not House With (DNHW) memorandums, relating to decisions regarding placement into Protective Custody).
 - 10.2.5 Contain a victim's current or former address, telephone numbers and protected criminal history information. (Pre-sentence Investigation Reports)
 - 10.2.6 Protective Custody Files, unless subpoenaed by a court.
 - 10.2.6.1 If subpoenaed, Protective Custody Files shall be redacted.
- 10.3 Public Information - Public record information may be given to any member of the public. Information considered public is as follows:
 - 10.3.1 Name and ADCRR number of any inmate committed to the Department
 - 10.3.2 Conviction data contained in the Judgment of Sentence or minute entry
 - 10.3.3 Verified conviction data from **ACIS**
 - 10.3.4 Date of admission
 - 10.3.5 Institution - Only the institution where the inmate is housed, unless the Master Record File indicates that location is not to be released. The Special Services Manager shall be notified.
 - 10.3.6 Date of scheduled release and/or discharge
 - 10.3.7 Decisions of the ABOEC
 - 10.3.8 Name and office telephone number of the supervising Community Corrections staff member

10.3.9 Name and office telephone number of the assigned Correctional Officer III

- 10.4 Confidential Information Release - Confidential information may be provided to Department staff as authorized, criminal justice system agencies, governmental agencies approved by the Department to receive confidential information and **medical** care providers under contract to the Department. Confidential information shall not be released until the following eligibility of the requesting party has been determined. The requestor is an authorized:

10.4.1 Employee of the Department as required by assigned duties.

10.4.2 Criminal justice system agency as required to accommodate needs of the inquiry.

10.4.3 Contract agency, **medical** care provider or other government agency. Information may be limited by the Department to those records deemed relevant to the proper provision of services.

10.5 Access to Records by Inmates and Discharged Inmates

10.5.1 Inmates shall not be permitted direct access to any Master Record, Institutional or Special Purpose Files, except for their own Medical Record. Inmates shall not assist in the preparation or photocopying of reports contained in these files.

10.5.2 Inmates may possess copies of material from the Department website, except that possession of material or information from the inmate database is strictly prohibited.

10.5.3 The Department may provide, to an inmate, copies of documents that involve an administrative hearing, a court proceeding or any document the Director determines appropriate for the inmate to have.

10.5.4 When Parole or Absolute Discharge from imprisonment is denied by the ABOEC, the inmate may request to view the ABOEC's written statement specifying the reasons for denial.

10.5.4.1 The request to view the ABOEC's reason for denial shall be submitted, on an Inmate Letter, Form 916-1, to the unit's Correctional Officer IV or designee.

10.5.4.2 Upon receipt of the written request, the Correctional Officer IV or designee, shall obtain the written copy of the ABOEC's decision from the Institutional File, and allow the inmate to review it.

10.5.4.3 Upon completion of the review, the Correctional Officer IV shall replace the document in the exact location in the Institutional File from which it was removed.

10.5.4.4 The Correctional Officer IV or designee shall document the request and the review on the **ACIS** Inmate Access Record Log.

10.5.5 After completing all sentences, discharged inmates may be allowed access to their own Master Record File excluding any confidential information.

10.6 **ACIS** Automated Summary (Open) Record

10.6.1 The **ACIS** Automated Summary Record shall include the following:

- 10.6.1.1 Sentencing and release date calculations
 - 10.6.1.2 Institutional movement
 - 10.6.1.3 Disciplinary history
 - 10.6.1.4 Detainers and warrants
 - 10.6.1.5 Institutional work or job history
 - 10.6.1.6 Classification actions
 - 10.6.1.7 ABOEC Hearing actions
- 10.6.2 To request to view their **ACIS** Automated Summary Record, inmates shall send an Inmate Letter to their unit Correctional Officer IV or designee.
- 10.6.2.1 Requests shall be made once each year or least 30 calendar days prior to an ABOEC hearing. Inmates may not request to view their **ACIS** Automated Summary Record more than once each year, unless they are scheduled for more than one appearance before the ABOEC in 12 months.
- 10.6.3 The Correctional Officer IV or designee, upon receipt of a request for a copy of an inmate's **ACIS** Automated Summary Record, shall:
- 10.6.3.1 Review the **ACIS** Full Inmate Record to ensure release eligibility dates have been verified by the TCU.
 - 10.6.3.1.1 If the Release Date Calculation has not been verified or if it is believed that the Release Date Calculation is incorrect and the projected release is within 120 calendar days, the Correctional Officer IV or designee shall send an email to the TCU Administrator/ Manager, with a brief explanation of the issue.
 - 10.6.3.1.2 If the projected release date is over 120 calendar days, the inmate may write the TCU using the Inmate Letter, if not resolved by the institution OIU.
 - 10.6.3.1.3 The TCU shall, within five workdays, audit the Release Date Calculation on inmates with projected release dates within 120 calendar days and respond to the Correctional Officer IV via email.
 - 10.6.3.2 Print the **ACIS** Automated Summary Record using transaction "Type Nine".
 - 10.6.3.3 Log the request on the **ACIS** Inmate Record Access Log.
 - 10.6.3.4 Provide the **ACIS** Automated Summary Record to the inmate, in person.
 - 10.6.3.5 Destroy the printed copy of the **ACIS** Automated Summary Record when the inmate has completed the viewing.

- 10.6.4 Inmates shall not have access to any other inmate's **ACIS** Automated Summary Record or assist in the preparation or reproduction of reports contained in those records.

10.7 Access/Inspection of Inmate Files

- 10.7.1 Requests for access or inspection of inmate files or other information shall be in accordance with Department Orders #201, Legal Services – Records Release and #1104, Inmate Medical Records.
- 10.7.2 The **Financial Services** Bureau shall process requests for statistical information regarding offenders committed to the Department and requests to use Inmate Record Files for research projects in accordance with Department Order #203, Research Projects.

10.8 Review and Challenge

- 10.8.1 An inmate may request, through DPS, access to his/her criminal justice information for the purpose of determining the accuracy and completeness of the records.
- 10.8.2 The inmate shall request from DPS an information packet and shall be responsible for all costs related to the review of criminal justice information.

11.0 **RECORD FILE ROOM SECURITY** - The **Assistant** Director for Prison Operations and/or designee shall approve the issuance of keys for the Records Managers and/or designated staff. A list of authorized key holders shall be provided to the communication center.

- 11.1 All OIUs shall be locked and secured during non-duty hours.
- 11.2 Master Record Files shall be available during regular working hours for review by any member of the public, the ABOEC, Law Enforcement Agencies or Department staff.
- 11.3 Institutional Files shall be available during regular working hours for review by Department and ABOEC personnel only.
- 11.4 Master Record and Institutional Files shall not be removed from the OIU by anyone except Department or ABOEC personnel. All other personnel authorized to review Master Record and Institutional Files shall review them in the area provided.
- 11.5 The institution OIU Manager and/or designated staff shall escort visitors to the OIU areas.
- 11.6 When in possession of an inmate file, a reviewer shall not give the file to any other staff member without first notifying the Central Office Records Supervisor or the institution OIU Manager.
 - 11.6.1 The file shall be the responsibility of the reviewer and the reviewer is required to abide by statutes governing the confidentiality of the records.
 - 11.6.2 If the file is forwarded to another party, the original reviewer shall be responsible for the file unless the Central Office Records Supervisor or the institution OIU Manager is notified in writing.
- 11.7 Master Record Files shall be returned to the OIU no later than 3:00 PM each Friday. Institutional Files shall be returned to the institution OIU no later than 4:00 PM each day.

11.8 Reviewers shall not remove any documents from the files.

12.0 SPECIAL PURPOSE AND SENSITIVE FILES

12.1 Authorization – **The respective** Deputy Director and the **Assistant Director of Prison Operations** may authorize the creation of Special Purpose Files. Special Purpose Files shall supplement, but not replace the Master Record File or the Institutional File.

12.2 Organization - Special Purpose files shall be organized in accordance with a uniform filing format established by the Offender Services Bureau Administrator and subject to the same laws, rules and instructions as the Master Record Files regarding security, disclosure and confidentiality.

12.2.1 Special Purpose files maintained by Prison Operations such as Property, and Protective Custody, shall be maintained in terminal digit order.

12.3 Classification as a Sensitive File

12.3.1 A Department staff member who determines a need to classify an Institutional and/or Master Record File as a Sensitive File shall forward a memorandum through the chain of command to the Offender Services Bureau Administrator requesting it be placed in the Sensitive File area. The memorandum shall include:

12.3.1.1 The name of the person to be notified when a request is made to access the Institutional and/or Master Record Files.

12.3.1.2 A recommendation to secure the Institutional and/or Master Record Files, if appropriate.

12.3.1.3 A recommendation for the length of time the Institutional and/or Master Record Files should be considered a Sensitive File.

12.3.1.4 The specific reasons for classifying an Institutional and/or Master Record File as a Sensitive File, which may include, but are not limited to:

12.3.1.4.1 Protective Custody issues.

12.3.1.4.2 It involves a sensational or high profile cases.

12.3.1.4.3 The Institutional and/or Master Record Files contain information that is likely to cause harm to specific individuals.

12.3.1.4.4 The inmate is involved in ongoing litigation.

12.3.1.4.5 The inmate is related to a Department employee.

12.3.2 Upon the Offender Services Bureau Administrator's review and written approval for Institutional and/or Master Record Files to be classified as a Sensitive File:

12.3.2.1 The Offender Services Bureau Administrator or designee shall email the institution OIU Manager requesting the Institutional File be removed from the shelf and locked in a file cabinet in an institution OUI area designated for Sensitive Institutional Files.

- 12.3.2.1.1 Sensitive Master Record File cabinets shall be located in an area designated by the Offender Services Bureau Administrator.
- 12.3.2.2 The approved memorandum shall be placed in the Sensitive Institutional and/or Master Record File.
- 12.3.2.3 An Out Guide shall be placed in the general file area to indicate the Institutional and/or Master Record File is secured in the Sensitive File cabinet.
- 12.3.2.4 Sensitive Files shall be reviewed annually to determine if they should continue to be classified as a Sensitive Files.
 - 12.3.2.4.1 Files shall remain Sensitive Files until the expiration date of the request or if the review indicates the need no longer exists.
 - 12.3.2.4.2 Institutional and/or Master Record Files no longer a Sensitive File shall be returned to the general file area.
- 12.3.3 The Offender Services Bureau Administrator shall restrict access to Sensitive Files to staff identified in the memorandum as having authorized access, designated OIU staff and other persons who require access to the Institutional and/or Master Record File during the normal course of their duties.

13.0 INMATE RECORDS TRANSFER

- 13.1 Transfer of Inmates - When inmates are transferred from one institution to another, the institution OIU Manager at the transferring institution, shall ensure staff responsible for forwarding the Institutional File, Property File, Visitation File, Inmate Medical Record and STG information to the receiving institution are notified.
 - 13.1.1 OIU staff at the transferring institution shall ensure:
 - 13.1.1.1 All Institutional Files are sealed in a box or manila envelope.
 - 13.1.1.2 An updated escape flyer is prepared for each inmate who is transferring.
 - 13.1.1.3 The SSU Coordinator is notified of the transfer of inmates who have been identified as STG members.
 - 13.1.2 SSU shall ensure STG information for each inmate identified as an STG suspect is forwarded to the receiving institution.
 - 13.1.3 **Medical** staff shall ensure a Medical Record for each inmate being transferred is forwarded to the receiving institution in accordance with **Medical** Services requirements.
 - 13.1.4 Property and Visitation Files shall be delivered to the transporting staff by the designated staff member from those areas.
 - 13.1.5 The receiving institution Transportation Coordinator shall ensure Inmate Record Files and Escape Bulletins are distributed to the appropriate staff.

- 13.1.6 When an inmate is transferred out of state, under contractual agreement, the institution OIU Manager shall forward the entire Institutional File and all Special Purpose Files to Central Office Records.

13.2 Release of Inmates

- 13.2.1 The Property and Visitation staff within five workdays after an inmate's release or discharge of sentence under supervision of the Department shall:

13.2.1.1 Purge and shred all duplicate information from inmate files.

13.2.1.2 Forward the remainder of the documents to the institution OIU.

- 13.2.2 The institution OIU staff shall:

- 13.2.2.1 Prepare a Release packet using ACCO fasteners and forward it to Central Office Records. Release packets shall contain the Release Confirmation Report, final release confirmation and the following placed on top of the Release packet:

13.2.2.1.1 All Pre-sentence Investigation Reports

13.2.2.1.2 Pre-Release documents (i.e. Parole/Probation Forms I and II, Authorization to Release Medical Information, Conditions of Supervision, Pre-Release Information)

13.2.2.1.3 IAD packet

13.2.2.1.4 All court documents

13.2.2.1.5 Initial Intake and release photographs

13.2.2.1.6 Visitation documentation

13.2.2.1.7 Property documents for the previous two years and the final inventory documents

13.2.2.1.8 Any information, to include reports received from other jurisdictions, relating to sex offenses

13.2.2.1.9 DNHW memorandums

- 13.2.2.2 Forward all Property and Visitation File folders to Central Office Records with the Release packet. File folders shall be rubber banded to the Release packet.

- 13.2.2.3 Separately from the Release packet, forward the following Institutional Files with the special circumstances easily identifiable to Central Office Records for retention:

13.2.2.3.1 Landmark cases as determined by the Director, Attorney General and the Archives.

13.2.2.3.2 Cases of notoriety as determined by the Offender Services Bureau Administrator.

13.2.2.3.3 Files related to inmates and offenders on supervision who have died while under Department custody (i.e., homicide, suicide, death by accident, death by natural causes, and death by execution).

13.2.3 **Medical** staff shall forward the inmate Medical Record to the Medical Records Area.

13.2.4 Community Corrections shall, within 30 calendar days after the completion of an offender's supervision term:

13.2.4.1 **Scan and upload any paper documents into ACIS.**

13.2.4.2 Update the offender's **ACIS** Movement screen to indicate the offender has completed supervision.

14.0 FILE AUDITS

14.1 The OIU, upon receipt of inmates from the Reception Center, shall conduct a partial Institutional File audit of the following incarceration documents and **ACIS** screens:

14.1.1 Sentencing information

14.1.2 Release Date Calculation

14.1.3 Detainer/Warrant Information

14.1.4 **ACIS** Victim screen

14.1.5 **ACIS** Fingerprint Verification screen

14.2 A complete Institutional File audit shall be completed for any inmate within six months of release.

15.0 INMATE RECORDS RETENTION AND DISPOSITION

15.1 Retention and Disposition Schedule - Upon an inmate's discharge from the Department, Offender Services Bureau Administrator shall ensure the inmate's files are closed and maintained in accordance with approved retention and disposition schedules.

15.1.1 The Offender Services Bureau shall:

15.1.1.1 Permanently maintain the complete closed Master Record and Institutional Files as outlined in this section.

15.1.1.2 Maintain the closed Master Record Files, including the institutional Release packets at Central Office Records until inmates reach their SED/CSED.

15.1.1.3 At the end of the SED/CSED, if inmates have not been recommitted to the Department, the closed Master Record Files, including the Release packets, shall have all extraneous material shredded.

15.1.2 The Master Record File, may include the following documents, and shall be forwarded to the Department of Library, Archives and Public Records (LAPR) - Records Management Division, in accordance with the records retention schedule.

- 15.1.2.1 Statement of Facts from the Committing Court, if applicable
 - 15.1.2.2 Judgment and commitment document(s), to include sentence modifications
 - 15.1.2.3 Movement Authorizations
 - 15.1.2.4 Pre-sentence Investigation Report(s)
 - 15.1.2.5 Proclamation Commuting the Sentence, if applicable
 - 15.1.2.6 Proclamation of Parole, if applicable
 - 15.1.2.7 Certificate(s) of Absolute Discharge
 - 15.1.2.8 Release Violation Warrants or Warrants of Arrest, if applicable
 - 15.1.2.9 Education Certificates (GED Only)
 - 15.1.2.10 Final Classification Actions (If not on **ACIS**)
 - 15.1.2.11 Protective Custody Reports
 - 15.1.2.12 DNHW memorandums
 - 15.1.2.13 Final Release Date Confirmation
 - 15.1.2.14 Photographs
 - 15.1.2.15 Verified fingerprint card
 - 15.1.2.16 Death Certificate, if applicable
 - 15.1.2.17 Detainer IAD information, if applicable
 - 15.1.2.18 Community Corrections packets to include: warrants, Conditions of Supervision, Face Sheets, Chronological Logs, urinalysis results and any information provided by treatment progress reports
- 15.2 Removal of Inmate Record from the AZCorrectons.gov Internet Website – Pursuant to A.R.S. §13-907 a person convicted of a specified criminal offense, on fulfillment of the conditions of probation or sentence and discharge by the court, may apply through the courts to have the judgment of guilt set aside.
- 15.2.1 Upon receipt of the certified court document the TCU shall:
 - 15.2.1.1 Validate the court document via the court.
 - 15.2.1.2 Make the appropriate entries on **ACIS**.
 - 15.2.1.3 Confirm with IT the inmate's/offender's picture and all other information pertaining to that inmate has been removed from the website with the exception of the information listed in 15.2.2.2 through 15.2.2.2.5 of this section.

15.2.2 If the inmate/offender has multiple convictions, sentences, commitments etc. only the specific case referenced in the court documents/ordered will be set aside and annotated on the website.

15.2.2.1 Unless all cases are set aside, the inmate's/offender's entire record will remain on the website.

15.2.2.2 If the inmate/offender has only one prior commitment and the judgment of guilt has been set aside, or in the case of multiple prior commitments all prior judgments have been set aside, the inmate's photograph and all information pertaining to the prior commitment(s) shall be removed from the website with the exception of the following:

15.2.2.2.1 Name

15.2.2.2.2 ADCRR Number

15.2.2.2.3 Date of Birth

15.2.2.2.4 CR Number

15.2.2.2.5 County of Conviction

DEFINITIONS/GLOSSARY

Refer to the Glossary of Terms

ATTACHMENTS

Attachment A – **ACIS** Transactions Responsibilities and Time Frames

Attachment B – Detainer Acknowledgment Letter

Attachment C – Agreement on Detainers/Governor's Notice Letter

Attachment D – Affidavit of Identification for Issuance of a License, Identification or AHCCCS

FORMS LIST

901-2, Intake/Transfer of Custody - Body Receipt

901-6, Agreement on Detainers/Form I

901-7, Agreement on Detainers/Form II

901-8, Agreement on Detainers/Form III

901-9, Agreement on Detainers/Form IV

901-10, Agreement on Detainers/Form V

901-11, Agreement on Detainers/Form V-A

901-12, Agreement on Detainers/Form V-B

901-13, Agreement on Detainers/Form VI

901-14, Agreement on Detainers/Form VII

901-15, Agreement on Detainers/Form VIII

901-16, Agreement on Detainers/Form IX

901-20, Inmate Arrival Sheet

901-32, Mail Waiver

AUTHORITY

A.R.S. §13-607, Judgment of Guilt and Sentence Document; Fingerprint; Contents of Document; Recitations

A.R.S. §13-610, DNA Testing

A.R.S. §13-701, Sentence of Imprisonment for Felony; Presentence Report; Aggravating and Mitigating Factors; Consecutive Terms of Imprisonment; Definition

A.R.S. §13-2316, Computer Tampering; Venue; Forfeiture; Classification

A.R.S. §13-4401, Crime Victim Rights

A.R.S. §25-807, Precedence of Maternity and Paternity Proceedings; Delay for Paternity Tests; Court Order; Evidentiary Use; Alternative Tests; Out-of-State Orders; Immunity

A.R.S. §31-221, Master Record File; Information from Other Agencies; Confidentiality of File; Access; Definition

A.R.S. §31-222, Research and Evaluation Programs

A.R.S. §31-281, Transition Program; Report

A.R.S. §31-412(B) Criteria for Release on Parole; Release; Custody of Parolee; Definition

A.R.S. §31-481, Agreement, Authorization; Contents

A.R.S. §31-482, Matters Pertaining to Agreement

A.R.S. §41-151.14, State and Local Public Records Management; Violation; Classification; Definition

A.R.S. §41-151.15, Preservation of Public Records

A.R.S. §41-1750, Central State Repository; Department of Public Safety; Duties; Funds; Accounts; Definitions

28 CFR, Part 20, 24 Federal Regulations, Privacy and Security Act

Rule 8.3 (b) Notification Requirements - Arizona Rules of Criminal Justice

ATTACHMENT A

ACIS TRANSACTIONS RESPONSIBILITIES AND TIME FRAMES

DIVISION/UNIT	TRANSACTION	TIME FRAME
ALL	Offender Comments	Date of action
ALL	Outside Inquiries	Date of inquiry
Classification	Custody Classification	Date of receipt /arrival
Classification	Initial Classification	Date of action
Classification	Re-Classification	Date of action
Community Corrections (CC)	Gain/Loss History	Date of action
Disciplinary Hearing Officer	Discipline Violation/Appeal	Date of action
Education	Education/Vocation Data	Within five workdays after data is obtained
Medical Services	Medical/Mental Health Scores	Within four workdays from date of Intake. Exception: One workday from date evaluation completed.
Institution OIU and/or designated staff	Agency Release Notification	Within five workdays of receipt/arrival
Institution OIU and/or designated staff	Inmate escape flyer	Date of arrival
Institution OIU and/or designated staff	Internal Assignment	Date of receipt/arrival
Institution OIU and/or designated staff	Offender Registration	Date of receipt/arrival
Institution OIU and/or designated staff	Personal Characteristics	Date of arrival
Institution OIU and/or designated staff	Personal History	Date of arrival
Institution OIU/TCU	Sentence Structure	Date of arrival
Institution OIU/TCU	Detainer/Warrants	Date of notification
Institution OIU/TCU/CC	Release Status Change	Effective date of status change or notification.
Institution OIU/TCU	Automated/Manual Release list Calculation/Release Eligibility	Upon completion of Audit Intake packet.
Institution OIU/TCU	ABOEC Actions	One day from receipt of disposition.
Institution OIU/TCU	Sentence Modification/ Vacates	Within five workdays from receipt of notification
Institution Security	Transfer Orders	Date of Central Classification approval.
Mental Health	Psychological Assessment	Within one workday after assessment is completed
Offender Services Bureau	Fingerprint Verification	With three workdays

ATTACHMENT B

**ARIZONA DEPARTMENT OF CORRECTIONS, REHABILITATION AND REENTRY
1601 WEST JEFFERSON STREET
PHOENIX, ARIZONA 85007
(602) 542-5497
<https://corrections.az.gov/>**

DETAINER ACKNOWLEDGMENT LETTER

**AGENCY NAME
AGENCY ADDRESS
AGENCY CITY, STATE, ZIP CODE**

DATE

INMATE NAME:

ADCRR #:

CR#:

The below ☒ paragraph(s) contain information regarding the above named individual.

☐ A notification request/child support hold/misdemeanor has been placed in accordance with your request dated *[DATE]*. You will be notified approximately 30-90 days prior to the Individual's release.

☐ A detainer/FH has been placed in accordance with your request dated *[DATE]* and you will be notified approximately 90 days prior to the individual's release.

☐ Your detainer/hold has been removed in accordance with your request dated *[DATE]*.

☐ We have been unable to locate any information regarding the above-named individual.

☐ Per your request of *[DATE]* the above named individual is scheduled for release on *[DATE]* upon approved program. This notice will cancel your notification request.

*****Please call to confirm this inmate's current location and release dates. *****

Sincerely,

Correctional Records Manager (Signature block)

**Distribution: Original - Requesting Agency
Copy: Master Record File
 Institutional File
 Inmate**

ATTACHMENT C

AGREEMENT ON DETAINERS/GOVERNOR'S NOTICE LETTER

PREPARE USING OFFICIAL LETTERHEAD
(TECHNICAL ASPECTS TO BE DETERMINED BY AUTHOR)

Arizona State Capitol Building
1700 West Washington
Phoenix, Az 85007

The Honorable (current Arizona State Governor's name):

Pursuant to Article IV(a) of the Agreement on Detainers, we are hereby giving notice that on the day of _____ A.D. 20____, the Prosecuting Attorney for the county of _____, in the state of _____ has requested temporary custody of ADCRR_____, who is currently serving a _____ year term of imprisonment for the crime of _____. Inmate stands charged in the accompanying indictments with the crime of _____ and is sought for purposes of trial.

A pre-transfer hearing under Cuyler vs. Adams has been requested in County Superior Court and will be heard as soon as possible.

If no action is taken within thirty days from this date, and all time limits have been exhausted for filing of a writ of habeas corpus, we will proceed to offer temporary custody of _____ to the state of _____.

Sincerely,

Signature Block
Interstate Compact Administrator

XX/xx (use appropriate accountability initials)

cc: C/O Master File
Institutional Field File

Attachments: Form V
Indictments

ATTACHMENT D

ARIZONA DEPARTMENT OF CORRECTIONS, REHABILITATION AND REENTRY

AFFIDAVIT OF IDENTIFICATION

FOR ISSUANCE OF A LICENSE, IDENTIFICATION CARD OR AHCCCS

Please print neatly or type form

Full Legal Name _____
(Last) (First) (Middle)

Name convicted under (if different) _____
(Last) (First) (Middle)

FBI # _____ AZSID# _____ ICE A# _____

Social Security # _____ ADCRR # _____

Date of Birth _____ Citizenship _____

Place of Birth _____

(City) (State)
Race _____ Hgt. _____ Wgt. _____ Eyes _____ Hair _____

Scars/Tattoos _____

Residence Street Address _____

City _____ State _____ Zip _____

Supervising Community Corrections staff _____

Office Telephone# _____ FAX # _____

Certification Signature _____

Print Name _____

Phone # _____

Date of Release _____

Insert Photo

THIS AFFIDAVIT EXPIRES 10 DAYS FROM THE DATE OF RELEASE